WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED

HOUSE BILL No. 315

(By Mr. Adams)

PASSED Mar 8 1955

In Effect from Passage

Filed in the Office of the Secretary of State of West Virginia MAR 17 1955
D. PITT O'BRIEN
SECRETARY OF STATE
ENROLLED

House Bill No. 315
(By Mr. Adams)

(Passed March 8, 1955; in effect from passage.)

AN ACT to amend and reenact section nine, article eight, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to assessments to improve streets, sidewalks and sewers.

Be it enacted by the Legislature of West Virginia:

That section nine, article eight, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 9. Assessment Certificates; Issuance, Sale and Negotiation; Recording Assessing Resolution or Ordinance.—Immediately on laying of the assessment against the abutting property, certificates shall be issued evidencing said assessments and each installment of principal and interest payable. Said certificates may be payable to the municipality or to the bearer and be signed by the
mayor and clerk or other equivalent officers of the munici-

pality, and shall refer to the ordinance or resolution

laying the assessments; shall show the amount and date

of the assessment and describe the property against which

the assessment is laid, describe the same as to ownership,

amount, frontage and briefly as to location. Said certifi-
cates shall also show the dates on which principal and

interest payments are due, and shall contain a provision

that in event of default in the payment of any one of such

installments, and such default continuing for a period of

sixty days, then all unpaid installments shall become due

and payable at the election of the certificate holder and

the holder may proceed to collect all of the unpaid

balances of installments, with interest until paid. Said

certificates may be issued to the contractor making the

improvements in payment therefor, upon the contractor's

reimbursing the municipality for those items of the cost

and expense advanced by the municipality and mentioned

in section five hereof. Said certificates payable to the

bearer shall be assignable by delivery of the certificates

and be enforceable by the holder. The municipality
issuing such certificates shall not be held as guarantor or
in any way liable for the payment of bearer certificates. A
notice of the lien of said assessment, referring to the assess-
ing ordinance or resolution, and setting forth a list of the
property assessed, described respectively as to amounts
of assessment, frontage, location and ownership of the
property, shall be certified by the clerk or recorder of
the municipality to the clerk of the county court of the
county wherein the improvement is located. The county
clerk shall record the same in a proper trust deed book
and index the same in the name of each owner of abutting
property assessed.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

W. T. Brotherton, Jr.
Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 16th day of March, 1953.

Governor

Filed in the Office of the Secretary of State of West Virginia

MAR 17, 1953

SECRETARY OF STATE